



Selendy|Gay

July 8, 2024

Via ECF and E-mail

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

Re: *In re Tether and Bitfinex Crypto Asset Litigation, 19-CV-09236 (KPF)*

Dear Judge Failla,

Pursuant to this Court's Order, dated June 26, 2024, and Rule 9 of this Court's Individual Rules of Practice in Civil Cases, Plaintiffs respectfully seek permission to file redacted versions of (i) Plaintiffs' Motion for Leave to Amend and the Proposed Second Amended Complaint (ECF Nos. 480, 480-1), (ii) Plaintiffs' Reply Memorandum of Law in Support of the Motion (the "Reply") (ECF No. 515); (iii) Plaintiffs' Opposition to B/T Defendants' Motion for Leave to File Sur-Reply (the "Sur-Reply Opposition") (ECF No. 521), and to maintain under seal exhibits 1-10, 12-15 to the Declaration of Laura M. King in Support of Plaintiffs' Reply (ECF Nos. 516-1 to 516-10, 516-12 to 516-15) (collectively, the "Exhibits").

The Motion for Leave to Amend and the Proposed Second Amended Complaint (ECF Nos. 480, 480-1) contain redactions that Plaintiffs proposed in their motion for leave to file redacted versions of the Motion for Leave to Amend and the Proposed Second Amended Complaint (ECF No. 539, 539-1, 539-2), which were approved per the Court's Order, dated June 26, 2024.

In addition, Plaintiffs have proposed redactions to the Reply and Sur-Reply Opposition (ECF No. 515, 521) in accordance with the redactions to the Motion to Amend, the Proposed Second Amended Complaint, and the Court's Order dated June 26, 2024.¹ Plaintiffs' Reply and the Exhibits thereto contain information that has been designated as Attorneys' Eyes-Only consistent with the Court's prior orders concerning the Anonymous Trader, *see* ECF No. 439-1, 451, 544, as well as information that has been designated as Confidential or Attorneys' Eyes Only by Defendants pursuant to this Court's Protective

¹ Following the Court's Order, dated June 26, 2024, Plaintiffs also met and conferred over email with the B/T Defendants and Mr. Potter concerning redactions.

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Order, *see* ECF No. 151, at ¶ 3, which B/T Defendants request Plaintiffs maintain under seal. Plaintiffs do not object to the characterization of these exhibits and related information as Confidential or Attorneys' Eyes Only for the limited purposes of this filing.

Respectfully submitted,

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*Interim Lead Counsel and Attorneys for
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cc: All Counsel of Record (via ECF)

Application GRANTED. Plaintiffs shall file redacted versions of the aforementioned documents, and the Clerk of Court is directed to maintain docket entries 515, 516-1 to 516-10, 516-12, 516-15, and 521 under seal, viewable to the Court and the parties only.

The Clerk of Court is further directed to terminate the pending motion at docket entry 546.

Dated: July 9, 2024

New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE